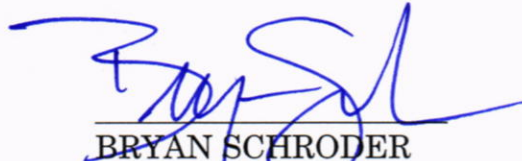


Based on the information available to me with respect to the allegations in the Plaintiff's Complaint, I find and certify that at the time of the allegations in Plaintiffs' Complaint, Patrick Martinez, M.D., Carol Humphry, M.D., Esther Lee, M.D., and Brian Trimble, M.D., were acting within the scope of their employment with the Alaska Native Tribal Health Consortium (ANTHC) or the Yukon-Kuskokwim Health Corporation (YKHC), Alaska Native tribal organizations that operate under a compact and agreement with the federal Department of Health and Human Services (DHHS), pursuant to Pub.L. 93-638; 42 U.S.C. § 5363.

Further, I find and certify that, with respect to the allegations in Plaintiff's Complaint, Patrick Martinez, M.D., Carol Humphry, M.D., Esther Lee, M.D., and Brian Trimble, M.D., are deemed to be employees of the federal government entitled to coverage and protection within the Federal Tort Claims Act (FTCA), 28 U.S.C. §§ 1346(b), 2401(b), 2671-80, pursuant to YKHC and ANTHC's compact and agreement with the DHHS under the Indian Self-Determination and Education Assistance Act (ISDEAA). 25 U.S.C. 5321; 42 U.S.C. § 233; and Pub. L. 101-512, Title III, § 314.

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DATED this 13th day of October, 2017, at Anchorage, Alaska.



BRYAN SCHRODER
Acting United States Attorney

CERTIFICATE OF SERVICE

I hereby certify that on October 13, 2017,
a copy of the foregoing **CERTIFICATION BY
ACTING UNITED STATES ATTORNEY**
was served via U.S. mail on

Meg Simonian
Law Offices of Dillon & Findley
1049 W. 5th Ave., Suite 200
Anchorage, AK 99501

s/ Sara Gray

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